



General Assembly

**Substitute Bill No. 6481**

January Session, 2013



**AN ACT CONCERNING ENFORCEMENT PROTECTION FOR  
NONCONFORMING STRUCTURES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 8-13a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (a) (1) When a building or other structure is so situated on a lot that  
5 it violates a zoning regulation of a municipality [which] that prescribes  
6 the location of such a building or structure in relation to the  
7 boundaries of the lot or when a building or structure is situated on a  
8 lot that violates a zoning regulation of a municipality [which] that  
9 prescribes the minimum area of the lot, and when such building or  
10 structure has been so situated for three years without the institution of  
11 an action to enforce such regulation, such building or structure shall be  
12 deemed a nonconforming building or structure in relation to such  
13 boundaries or to the area of such lot, as the case may be. For purposes  
14 of this section, "structure" has the same meaning as in the zoning  
15 regulations for the municipality in which the structure is located or, if  
16 undefined by such regulations, "structure" means any combination of  
17 materials, other than a building, that is affixed to the land, including,  
18 without limitation, signs, fences, walls, pools, patios, tennis courts and  
19 decks.

20     (2) A property owner shall bear the burden of proving that a  
21     structure qualifies as a nonconforming structure pursuant to  
22     subdivision (1) of this subsection.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2013</i>	8-13a(a)
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***PD***         *Joint Favorable Subst.*